



COMMONWEALTH of VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY

Permit No.: VA0021199
Effective Date: August 25, 2012
Expiration Date: August 24, 2017

**AUTHORIZATION TO DISCHARGE UNDER THE
VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM**

AND

THE VIRGINIA STATE WATER CONTROL LAW

In compliance with the provisions of the Clean Water Act as amended and pursuant to the State Water Control Law and regulations adopted pursuant thereto, the following owner is authorized to discharge in accordance with the information submitted with the permit application, and with this permit cover page, and Parts I and II of this permit, as set forth therein.

Owner: Town of Richlands
Facility Name: Richlands Regional Wastewater Treatment Facility
County: Tazewell
Facility Location: 425 Plant Road, adjacent to Old Richlands Airport.

The owner is authorized to discharge to the following receiving stream:

Stream: Clinch River
River Basin: Tennessee-Big Sandy River
River Subbasin: Clinch River
Section: 2
Class: IV
Special Standards: None

Regional Director
Department of Environmental Quality

Date

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from Outfall Number 001. For the months of June 1 through November 31, this discharge shall be limited and monitored by the permittee as specified below.

EFFLUENT CHARACTERISTICS			DISCHARGE LIMITATION		MONITORING REQUIREMENTS	
	Monthly Average	Weekly Average	Minimum	Maximum	Frequency	Sample Type
Flow (MGD) ^a	NL	NA	NA	NL	Continuous	Totalizing, Indicating & Recording
pH (standard units)	NA	NA	6.0	9.0	1/Day	Grab
BOD ₅ ^{b,d}	18 mg/l	270 kg/d	27 mg/l	410 kg/d	1 Day/Week	24 Hour Composite
Suspended Solids ^{b,d}	30 mg/l	450 kg/d	45 mg/l	680 kg/d	1 Day/Week	24 Hour Composite
Ammonia Nitrogen NH ₃ -N ^c	3.6 mg/l	3.6 mg/l	NA	NA	1 Day/Week	24 Hour Composite
E.coli [*]	126 n/100 ml	NA	NA	NA	1 Day/Week ^{**}	Grab
Dissolved Oxygen	NA	NA	6.2	NA	1/Day	Grab
Chronic Toxicity Units ^e	NA	NA	NA	NL Tu _C	1/Year	24 Hour Composite

- a. The design flow of this treatment facility is 4.0 MGD.
- b. See PART I C. Special Condition - Compliance Reporting.
- c. There shall be no discharge of floating solids or visible foam in other than trace amounts.
- d. At least 85% removal for BOD and Total Suspended Solids must be attained for this effluent.
- e. The tests must use two (2) species, *Ceriodaphnia dubia* and *Pimephales promelas*. Express the results as Tu_C (Chronic Toxicity Units) by dividing 100/NOEC for DMR reporting.

NL = No limitation, monitoring required. NA = Not applicable *Geometric Mean **Between 10:00 a.m and 4:00 p.m.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from Outfall Number 001. For the months of December 1 through May 31, this discharge shall be limited and monitored by the permittee as specified below.

	<u>DISCHARGE LIMITATION</u>		<u>MONITORING REQUIREMENTS</u>		<u>EFFLUENT CHARACTERISTICS</u>	
	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Minimum</u>	<u>Maximum</u>	<u>Frequency</u>	<u>Sample Type</u>
Flow (MGD) ^a	NL	NA	NA	NL	Continuous	Totalizing, Indicating & Recording
pH (standard units)	NA	NA	6.0	9.0	1/Day	Grab
BOD ₅ ^{b,d}	30 mg/l	450 kg/d	45 mg/l	680 kg/d	1 Day/Week	24 Hour Composite
Suspended Solids ^{b,d}	30 mg/l	450 kg/d	45 mg/l	680 kg/d	1 Day/Week	24 Hour Composite
Ammonia Nitrogen NH ₃ -N ^c	7.3 mg/l	7.3 mg/l	NA	NA	1 Day/Week	24 Hour Composite
E.coli [*]	126 n/100 ml	NA	NA	NA	1 Day/Week ^{**}	Grab
Dissolved Oxygen	NA	NA	6.2	NA	1/Day	Grab
Chronic Toxicity Units ^e	NA	NA	NA	NL Tu _C	1/Year	24 Hour Composite

a. The design flow of this treatment facility is 4.0 MGD.

b. See PART I C. Special Condition - Compliance Reporting.

c. There shall be no discharge of floating solids or visible foam in other than trace amounts.

d. At least 85% removal for BOD and Total Suspended Solids must be attained for this effluent.

e. The tests must use two (2) species, *Ceriodaphnia dubia* and *Pimephales promelas*. Express the results as Tu_C (Chronic Toxicity Units) by dividing 100/NOEC for DMR reporting.

NL = No limitation, monitoring required. NA = Not applicable * Geometric Mean ** Between 10:00 a.m and 4:00 p.m.

PART I

B. Compliance Reporting

1. The quantification levels (QL) shall be less than or equal to the following concentrations:

<u>Effluent Characteristic</u>	<u>Quantification Level</u>
<i>BOD₅</i>	5.0 mg/l
<i>Total Suspended Solids</i>	1.0 mg/l
<i>Ammonia Nitrogen</i>	0.20 mg/l

The QL is defined as the lowest concentration used to calibrate a measurement system in accordance with the procedures published for the method. It is the responsibility of the permittee to ensure that proper quality assurance/quality control (QA/QC) protocols are followed during the sampling and analytical procedures. QA/QC information shall be documented to confirm that appropriate analytical procedures have been used and the required QLs have been attained. The permittee shall use any method in accordance with Part II A of this permit.

2. **Monthly Average** -- Compliance with the monthly average limitations and/or reporting requirements for the parameters listed in subsection 1. of this permit condition shall be determined as follows: All concentration data below the QL used for the analysis (QL must be less than or equal to the QL listed in 1. above) shall be treated as zero. All concentration data equal to or above the QL used for the analysis (QL must be less than or equal to the QL listed in 1. above) shall be treated as it is reported. An arithmetic average shall be calculated using all reported data for the month, including the defined zeros. This arithmetic average shall be reported on the Discharge Monitoring Report (DMR) as calculated. If all data are below the QL used for the analysis (QL must be less than or equal to the QL listed in 1. above), then the average shall be reported as "<QL". If reporting for quantity is required on the DMR and the reported monthly average concentration is <QL, then "<QL" shall be reported for the quantity. Otherwise the reported concentration data (including the defined zeros) and flow data for each sample day shall be used to determine the daily quantity and the monthly average of the calculated daily quantities shall be reported.

Weekly Average -- Compliance with the weekly average limitations and/or reporting requirements for the parameters listed in subsection 1. of this permit condition shall be determined as follows: All concentration data below the QL used for the analysis (QL must be less than or equal to the QL listed in 1. above) shall be treated as zero. All concentration data equal to or above the QL used for the analysis (QL must be less than or equal to the QL listed in 1. above) shall be treated as reported. An arithmetic average shall be calculated using all reported data, including the defined zeros, collected within each complete calendar week and entirely contained within the reporting month. The maximum value of the weekly averages thus determined shall be reported on the DMR. If all data are below the QL used for the analysis (QL must be less than or equal to the QL listed in 1. above), then the weekly average shall be reported as "<QL". If reporting for quantity is required on the DMR and the reported weekly average concentration is <QL, then "<QL" shall be

PART I

B. Compliance Reporting
(continued)

reported for the quantity. Otherwise the reported concentration data (including the defined zeros) and flow data for each sample day shall be used to determine the daily quantity and the maximum weekly average of the calculated daily quantities shall be reported.

Daily Maximum -- Compliance with the daily maximum limitations and/or reporting requirements for the parameters listed in subsection 1. of this permit condition shall be determined as follows: All concentration data below the QL used for the analysis (QL must be less than or equal to the QL listed in 1. above) shall be treated as zero. All concentration data equal to or above the QL used for the analysis (QL must be less than or equal to the QL listed in 1. above) shall be treated as reported. An arithmetic average shall be calculated using all reported data, including the defined zeros, collected within each day during the reporting month. The maximum value of these daily averages thus determined shall be reported on the DMR as the Daily Maximum. If all data are below the QL used for the analysis (QL must be less than or equal to the QL listed in 1. above), then the maximum value of the daily averages shall be reported as "<QL". If reporting for quantity is required on the DMR and the reported daily maximum concentration is <QL, then report "<QL" for the quantity. Otherwise use the reported daily average concentrations (including the defined zeros) and corresponding daily flows to determine daily average quantities and report the maximum of the daily average quantities during the reporting month.

Single Datum - Any single datum required shall be reported as "<QL" if it is less than the QL used for the analysis (QL must be less than or equal to the QL listed in a. above). Otherwise the numerical value shall be reported.

3. **Significant Digits** -- The permittee shall report at least the same number of significant digits as the permit limit for a given parameter. Regardless of the rounding convention used by the permittee (i.e., 5 always rounding up or to the nearest even number), the permittee shall use the convention consistently, and shall ensure that consulting laboratories employed by the permittee use the same convention.

C. Special Condition - Control of Significant Dischargers

1. Within 180 days of the effective date of the permit, the permittee shall submit to the DEQ Regional Office a survey of all Industrial Users discharging to the POTW. The information shall be submitted on the DEQ Discharger Survey Form, or an equivalent form that includes the quantity and quality of the wastewater. Survey results shall include the identification of significant industrial users of the POTW.
2. If Categorical Industrial User(s) are identified, or if the permittee or DEQ determines that the industrial user(s) have potential to adversely affect the operation of the POTW or cause violation(s) of federal, state or local standards or requirements, the permittee shall develop and submit to the DEQ Regional Office, within one year of written

PART I

C. Special Condition - Control of Significant Dischargers
(continued)

notification by DEQ, a pretreatment program for approval. The program shall enable the permittee to control by permit the Significant Industrial Users* discharging wastewater to the treatment works.

3. Should evaluation by the DEQ of results of the Industrial User survey conducted in accordance with (1) above indicate that the permittee is not required to implement a pretreatment program, the requirements for program development described in (4) below may be suspended by the DEQ.
4. The approvable pretreatment program submission shall at a minimum contain the following parts:
 - a. Legal authority,
 - b. Program procedures,
 - c. Funding and resources,
 - d. Local limits evaluation, and local limits if needed,
 - e. Enforcement response plan, and
 - f. List of Significant Industrial Users.
5. Where the permittee is required to develop a pretreatment program, the permittee shall submit to the DEQ Regional Office an annual report that describes the permittee's program activities over the previous year. The annual report shall be submitted no later than January 31 of each year and shall include:
 - a. An updated list of the Significant Industrial Users* showing the categorical standards and local limits applicable to each.
 - b. A summary of the compliance status of each Significant Industrial User with pretreatment standards and permit requirements.
 - c. A summary of the number and types of Significant Industrial User sampling and inspections performed by the POTW.
 - d. All information concerning any interference, upset, VPDES permit or Water Quality Standards violations directly attributable to Significant Industrial Users and enforcement actions taken to alleviate said events.
 - e. A description of all enforcement actions taken against Significant Industrial Users over the previous 12 months.
 - f. A summary of any changes to the submitted pretreatment program that have not been previously reported to the DEQ Regional Office.
 - g. A summary of the permits issued to Significant Industrial Users since the last annual report.
 - h. POTW and self-monitoring results for Significant Industrial Users determined to be in significant non-compliance during the reporting period.

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C. Special Condition - Control of Significant Dischargers
(continued)

Users determined to be in significant non-compliance during the reporting period.

- i. Results of the POTW's influent/effluent/sludge sampling, not previously submitted to DEQ.
 - j. Copies of newspaper publications of all Significant Industrial Users in significant non-compliance during the reporting period. This is due no later than March 31 of each year.
 - k. Signature of an authorized representative.
6. The DEQ may require the POTW to institute changes to the legal authority regarding Significant Industrial User permit(s):
- a. If the legal authority does not meet the requirements of the Clean Water Act, Water Control Law or State regulations;
 - b. If problems such as interferences, pass-through, violations of water quality standards or sludge contamination develop or continue; and
 - c. If federal, state or local requirements change.

*A significant industrial user is one that:

- (1) Has a process wastewater (**) flow of 25,000 gallons or more per average workday;
- (2) Contributes a process wastestream which makes up 5-percent or more of the average dry weather hydraulic or organic capacity of the POTW;
- (3) Is subject to the categorical pretreatment standards; or
- (4) Has significant impact, either singularly or in combination with other Significant Dischargers, on the treatment works or the quality of its effluent.

**Excludes sanitary, non-contact cooling water and boiler blowdown.

D. Special Condition - Whole Effluent Toxicity Testing

1. Biological Monitoring:

- a. In accordance with the schedule in 2. below, the permittee shall conduct annual chronic toxicity tests for the term of the permit using 24-hour flow-proportioned composite samples of final effluent from outfall 001.

The chronic tests to use are:

Chronic 3-Brood Static Renewal Survival and Reproduction Test
using *Ceriodaphnia dubia*

PART I

D. Special Condition - Whole Effluent Toxicity Testing
(continued)

Chronic 7-Day Static Renewal Survival and Growth Test using
Pimephales promelas

These chronic tests shall be conducted in such a manner and at sufficient dilutions (minimum of five dilutions, derived geometrically) to determine the "No Observed Effect Concentration" (NOEC) for survival and reproduction or growth. Results which cannot be determined (i.e., a "less than" NOEC value) are not acceptable, and a retest will have to be performed. The test NOEC must be expressed as TU_c (Chronic Toxic Units), by dividing $100/NOEC$ for DMR reporting. The test report must include the LC_{50} at 48 hours, the IC_{25} , and the NOEC's.

The permittee may provide additional samples to address data variability. These data shall be reported and may be included in the evaluation of effluent toxicity. Test procedures and reporting shall be in accordance with the WET testing methods cited in 40 CFR 136.3

- b. The test dilutions should be able to determine compliance with the following endpoint:

(1) Chronic NOEC of 19% equivalent to a TU_c of 5.26.

- c. The test data will be evaluated by STATS.EXE for reasonable potential at the conclusion of the test period. The data may be evaluated sooner if requested by the permittee, or if toxicity has been noted. Should evaluation of the data indicate that a limit is needed, a WET limit and compliance schedule will be required and the toxicity tests of 1.a. may be discontinued.

The permit may be modified or revoked and reissued to include specific limits in lieu of a WET limit should it be demonstrated that toxicity is due to specific parameters. The pollutant specific limits must control the toxicity of the effluent.

2. Reporting Schedule:

The permittee shall report the results on the DMR and supply copies of the toxicity test reports specified in this Toxics Management Program in accordance with the following schedule:

<u>Period</u>	<u>Compliance Periods</u>	<u>DMR/Report Submission Dates</u>
Annual 1	By 08/31/2012	10/10/2012
Annual 2	By 08/31/2013	10/10/2013
Annual 3	By 08/31/2014	10/10/2014
Annual 4	By 08/31/2015	10/10/2015
Annual 5	By 08/31/2016	10/10/2016

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E. Other Requirements or Special Conditions

1. *95% Capacity Reopener:* A written notice and a plan of action for ensuring continued compliance with the terms of this permit shall be submitted to DEQ, Southwest Regional Office, 355-A Deadmore Street, Abingdon, Virginia, 24212, when the monthly average flow influent to the sewage treatment plant reaches 95 percent of the design capacity authorized in this permit for each month of any three consecutive month period. The written notice shall be submitted within 30 days and the plan of action shall be received at the Southwest Regional Office no later than ninety (90) days from the third consecutive month for which the flow reached 95 percent of the design capacity. The plan shall include the necessary steps and a prompt schedule of implementation for controlling any current or reasonably anticipated problem resulting from high influent flows. Failure to submit an adequate plan in a timely manner shall be deemed a violation of the permit.
2. *Indirect Dischargers:* The permittee shall provide adequate notice to the Department of the following:
 - a. Any new introduction of pollutants into the treatment works from an indirect discharger which would be subject to Section 301 or 306 of the Clean Water Act and the State Water Control Law if it were directly discharging those pollutants; and
 - b. Any substantial change in the volume or character of the pollutants being introduced into the treatment works by a source introducing pollutants into the treatment works at the time of issuance of this permit. Adequate notice shall include information on (i) the quality and quantity of effluent introduced into the treatment works, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the treatment works.
3. *CTC, CTO Requirement:* The permittee shall, in accordance with the DEQ Sewage Collection and Treatment Regulation (9VA25-790), obtain a Certificate to Construct (CTC) and a Certificate to Operate (CTO) from the DEQ Office of Wastewater Engineering (for Water Quality Improvement Funded (WQIF) projects) or submitted by the design engineer and owner to the DEQ regional water permit manager (for non WQIF projects) prior to constructing wastewater treatment works and operating the treatment works, respectively. Non-compliance with the CTC or CTO shall be deemed a violation of the permit.
4. *Operation and Maintenance Manual Requirement:* The permittee shall maintain a current Operations and Maintenance (O&M) Manual for the treatment works that is in accordance with Virginia Pollutant Discharge Elimination System Regulations, 9VAC25-31 and (for sewage treatment plants) Sewage Collection and Treatment Regulations, 9 VAC25-790.

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E. Other Requirements or Special Conditions
(continued)

The O&M Manual and subsequent revisions shall include the manual effective date and meet Part II.K.2 and Part II.K.4 Signatory Requirements of the permit. Any changes in the practices and procedures followed by the permittee shall be documented in the O&M Manual within 90 days of the effective date of the changes. The permittee shall operate the treatment works in accordance with the O&M Manual and shall make the O&M manual available to Department personnel for review during facility inspections. Within 30 days of a request by DEQ, the current O&M Manual shall be submitted to the DEQ Regional Office for review and approval.

The O&M manual shall detail the practices and procedures which will be followed to ensure compliance with the requirements of this permit. This manual shall include, but not necessarily be limited to, the following items, as appropriate:

- a. Permitted outfall locations and techniques to be employed in the collection, preservation, and analysis of effluent, storm water and sludge samples;
 - b. Procedures for measuring and recording the duration and volume of treated wastewater discharged;
 - c. Discussion of Best Management Practices, if applicable;
 - d. Procedures for handling, storing, and disposing of all wastes, fluids, and pollutants characterized in Part I.B.# [corresponding to the Materials Handling Storage special condition] that will prevent these materials from reaching state waters. List type and quantity of wastes, fluids, and pollutants (e.g. chemicals) stored at this facility.
 - e. Discussion of treatment works design, treatment works operation, routine preventative maintenance of units within the treatment works, critical spare parts inventory and record keeping; and,
 - f. Plan for the management and/or disposal of waste solids and residues.
 - g. Hours of operation and staffing requirements for the plant to ensure effective operation of the treatment works and maintain permit compliance.
 - h. List of facility, local and state emergency contacts; and
 - i. Procedures for reporting and responding to any spills/overflows/treatment works upsets.
5. *Licensed Operator Requirement:* The permittee shall employ or contract at least one Class II licensed wastewater works operator for this treatment works. The license shall be issued in accordance with Title 54.1 of the Code of Virginia and the regulations of the Board for Waterworks and Wastewater Works Operators. The permittee shall notify the Department in writing whenever he is not complying, or has grounds for anticipating that he will not comply with this requirement. The notification shall include a statement of reasons and a prompt schedule for achieving compliance.
6. *Reliability Class:* The permitted treatment works shall meet Reliability Class III.

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E. Other Requirements or Special Conditions
(continued)

7. *Treatment Works Closure Plan:* If the permittee plans an expansion or upgrade to replace the existing treatment works, or if the facility is permanently closed, the permittee shall submit to the DEQ Regional Office a closure plan for the existing treatment works. The plan shall address the following information as a minimum: Treatment, removal and final disposition of residual wastewater and solids; removal of structures, equipment, piping and appurtenances; site grading, and erosion and sediment control; restoration of site vegetation; access control; fill materials; and proposed land use (post-closure) of the site. The plan should contain proposed dates for beginning and completion of the work.

The plan must be approved by the DEQ prior to implementation.

8. *Section 303(d) List (TMDL) Reopener:* This permit shall be modified or alternatively revoked and reissued if any approved wasteload allocation procedure, pursuant to Section 303(d) of the Clean Water Act, imposes wasteload allocations, limits or conditions on the treatment works that are not consistent with the permit requirements.
9. *Sludge Reopener:* The Board may promptly modify or revoke and reissue this permit if any applicable standard for sewage sludge use or disposal promulgated under Section 405 (d) of the Clean Water Act is more stringent than any requirements for sludge use or disposal in this permit, or controls a pollutant or practice not limited in this permit.
10. *Sludge Use and Disposal:* The permittee shall conduct all sewage sludge use or disposal activities in accordance with the Sludge Management Plan (SMP) approved with the issuance of this permit. Any proposed changes in the sewage sludge use or disposal practices or procedures followed by the permittee shall be documented and submitted for DEQ approval 90 days prior to the effective date of the changes. Upon approval, the SMP becomes an enforceable part of the permit. The permit may be modified or alternatively revoked and reissued to incorporate limitations/conditions necessitated by substantive changes in sewage sludge use or disposal practices. The sludge management plan consists of transporting the stabilized and dewatered sludge to the Tazewell County Landfill.
11. *Reduced Monitoring:* If the facility permitted herein is issued a Notice of Violation for any of the parameters listed below, then the following effluent monitoring frequencies shall become effective upon written notice from DEQ and remain in effective until permit expiration.

PARAMETER

MONITORING
FREQUENCY

Total Suspended Solids
Ammonia Nitrogen
E.coli

3 Days/Week
3 Days/Week
3 Days/Week @ 48 Hour Intervals

CONDITIONS APPLICABLE TO ALL VPDES PERMITS

A. Monitoring.

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.
2. Monitoring shall be conducted according to procedures approved under Title 40 Code of Federal Regulations Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.
3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.
4. Samples taken as required by this permit shall be analyzed in accordance with 1VAC30-45, Certification for Noncommercial Environmental Laboratories, or 1VAC30-46, Accreditation for Commercial Environmental Laboratories.

B. Records.

1. Records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurements;
 - b. The individual(s) who performed the sampling or measurements;
 - c. The date(s) and time(s) analyses were performed;
 - d. The individual(s) who performed the analyses;
 - e. The analytical techniques or methods used; and
 - f. The results of such analyses.
2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the Board.

C. Reporting Monitoring Results.

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to:

Department of Environmental Quality
Southwest Regional Office
355-A Deadmore Street
Abingdon, VA 24210

2. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) or on forms provided, approved or specified by the Department.
3. If the permittee monitors any pollutant specifically addressed by this permit more frequently than required by this permit using test procedures approved under Title 40 of the Code of Federal Regulations Part 136 or using other test procedures approved by the U.S. Environmental Protection Agency or using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the Department.
4. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. Duty to Provide Information.

The permittee shall furnish to the Department, within a reasonable time, any information which the Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.

E. Compliance Schedule Reports.

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

F. Unauthorized Discharges.

Except in compliance with this permit, or another permit issued by the Board, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or
2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

G. Reports of Unauthorized Discharges.

Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part II F; or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part II F, shall notify the Department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the Department, within five days of discovery of the discharge. The written report shall contain:

1. A description of the nature and location of the discharge;
2. The cause of the discharge;
3. The date on which the discharge occurred;
4. The length of time that the discharge continued;
5. The volume of the discharge;
6. If the discharge is continuing, how long it is expected to continue;
7. If the discharge is continuing, what the expected total volume of the discharge will be; and
8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the Department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of Unusual or Extraordinary Discharges.

If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the Department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse affects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the Department within five days of discovery of the discharge in accordance with Part II I 2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;
2. Breakdown of processing or accessory equipment;
3. Failure or taking out of service some or all of the treatment works; and
4. Flooding or other acts of nature.

I. Reports of Noncompliance

The permittee shall report any noncompliance which may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which shall be reported within 24 hours under this paragraph:
 - a. Any unanticipated bypass; and
 - b. Any upset which causes a discharge to surface waters.
2. A written report shall be submitted within 5 days and shall contain:
 - a. A description of the noncompliance and its cause;
 - b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
 - c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The Board may waive the written report on a case-by-case basis for reports of noncompliance under Part II I if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.

3. The permittee shall report all instances of noncompliance not reported under Parts II I 1 or 2, in writing, at the time the

X. Permit Actions.

Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Y. Transfer of permits.

1. Permits are not transferable to any person except after notice to the Department. Except as provided in Part II Y 2, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued, or a minor modification made, to identify the new permittee and incorporate such other requirements as may be necessary under the State Water Control Law and the Clean Water Act.
2. As an alternative to transfers under Part II Y 1, this permit may be automatically transferred to a new permittee if:
 - a. The current permittee notifies the Department at least 30 days in advance of the proposed transfer of the title to the facility or property;
 - b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
 - c. The Board does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part II Y 2 b.

Z. Severability.

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.